IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

WA.No. 821 of 2007()

AGAINST THE JUDGEMENT IN WPC.34241/2004 Dated 28/07/2006
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APPELLANT: PETITIONER

K.G.PRASANNAN, AGED 50,
S/O.K.N.GOPALAN, PRASANTHY, KARITHOTTA P.O
KIDANGANNUR (VIA), PATHANAMTHITTA DISTRICT,
(REVENUE INSPECTOR, PATHANAMTHITTA MUNICIPALITY).

BY ADV. SRI.R.T.PRADEEP
SRI.V.VIJULAL

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, DEPARTMENT OF LOCAL SELF
GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE SECRETARY, DEPARTMENT OF URBAN
AFFAIRS, SECRETARIAT, THIRUVANANTHAPURAM.

3. THE KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITS SECRETARY,
PATTOM, THIRUVANANTHAPURAM.

4. THE DEPUTY SECRETARY, (EXAMINATIONS),
KERALA PUBLIC SERVICE COMMISSION, PATTOM,
THIRUVANANTHAPURAM-4.

BY GOVERNMENT PLEADER BENNY GERVASIS
SRI.P.C.SASIDHARAN, SC FOR PSC

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 13/08/2007, ALONG WITH WA NO. 282 OF 2005, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & V.K.MOHANAN, JJ

W.A. 821/2007 & 282/2005

Dated this the 13th day of August, 2007

JUDGMENT

Radhakrishnan, J

Writ petition was preferred seeking a writ of mandamus directing the third respondent to recast the short list pertaining to Category-II by enlisting ten more candidates by lowering the cut off marks for written test and to consider the newly short listed candidates for selection and other consequential benefits. Ratio of 4:3:1 is prescribed for appointment to the post of Municipal Secretary Gr-II. Twenty candidates were shortlisted from among the Municipal Common Service (Category-II) and cut off mark was also imposed by the PSC. On that basis rank list was prepared on 31.12.2004. Petitioner raised his contention through Ext.P5 representation claiming re-checking of the marks. PSC considered the representation and found that there is no illegality in the valuation.

2. Now the prayer of the petitioner is to direct the PSC to lower the cut off marks. As the ratio prescribed is 4:3:1 and that twenty candidates were already included in

the list from the Municipal Common Service (Category-II), we find no reason to direct the PSC now to lower the cut off marks. Appeals lack merit and are dismissed.

K.S.RADHAKRISHNAN
Judge

V.K.MOHANAN
Judge

mrcs